PATENT Atty. Dkt. No.: NVDA/P002844

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

JACOB et al.

Serial No.: 10/673,678

Confirmation No.: 2021

Filed: Septe

September 29, 2003

For: SYSTEM AND METHOD USING

EMBEDDED MICROPROCESSOR AS

A NODE IN AN ADAPTABLE COMPUTING MACHINE

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Group

Group Art Unit: 2183

Examiner: Aimee J. Li

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence and the documents referred to as attached therein are being electronically transmitted to the U.S. Patent and Trademark office via EFS-Web to the attention of Examiner Aimee

shown below.

DECLARATION UNDER 37 C.F.K. §1.131

I, James A. Sheridan, Applicants' attorney, hereby declare and state that I have made the following efforts to obtain an affidavit from the inventor, Rojit Jacob, in the subject application.

On Wednesday, June 20, 2007, as shown by Exhibit A, I caused an email to be sent to Nancy Gamburd (outside patent attorney for Quicksilver, previous assignee of this application) asking for contact information for former Quicksilver inventors and was advised that the best person to contact was the representative of the original assignee of the subject application, Mr. Mark Kaufman.

On June 27, 2007, as shown by Exhibit B, I caused an email to be sent to Mr. Mark Kaufman, asking for any possible information on the whereabouts of Mr. Jacob.

On June 28, 2007, as shown by Exhibit C, I was copied on a response to my assistant, Ms. Robyne Orlando, that the original assignee of the subject application had no information on Mr. Jacob.

On June 20, 2007, as shown by Exhibit D, I sent a Federal Express envelope with a letter asking Mr. Jacob's cooperation in preparing the accompanying declaration under 37 CFR1.131. This package was sent to Mr. Jacob at his last known address, which was the address listed in the declaration to the present

PATENT Atty. Dkt. No.: NVDA/P002844

Application. Although the package was apparently accepted, no signature was ever shown provided for the package (see the forth page of Exhibit D) and no response was ever received from Mr. Jacob.

On June 29, 2007, as shown by Exhibit E, substantially the same letter was sent as in Exhibit D. The FedEx Company, the carrier of the package, sent a response indicating that the recipient had moved and had left no forwarding address or phone number.

On July 5, 2007, as shown by Exhibit F, I sent a third letter again asking for Mr. Jacob's cooperation. The package was again returned as being sent to an incorrect address, as shown on the third page of Exhibit F, and was returned to the office of the undersigned.

At the time of each of these mailings, I conducted a search in Google™ inserting the name Rojit Jacob. Although no printout of that search was kept at the time, a printout of a repeat effort of that search made on the date of this declaration is attached hereto as Exhibit G. The search results show that no address data is available for Mr. Jacob.

Based on the foregoing, it is clearly established that every effort has been made to contact Mr. Jacob at his last known address, and he is not available to cooperate in the preparation of a declaration under 37 CFR_{1.131} to swear behind the Master reference.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued

thereon.

Data

James A. Sheridan

Registration No. 25,435

PATTERSON & SHERIDAN, L.L.P. 3040 Post Oak Blvd. Suite 1500

Lleusten TV 770FC

Houston, TX 77056

Telephone: (713) 623-4844 Facsimile: (713) 623-4846 Attorney for Applicant(s)

2

James Sheridan

From: Cindy Hoang [cindy@ipotential.com]

Sent: Monday, June 25, 2007 10:50 AM

To: Robyne Orlando

Cc: Kaufman, Marc; James Sheridan; Rich Domingo

Subject: RE: Quicksilver Docket Number: 021202-003810US

Hi Robyne,

Please note that Marc Kaufman (cc'd here) is the new contact for any Quicksilver/QST Holdings matters.

Here is Mr. Dan Ming Lum Chuang's current email: d.chuang@qualcomm.com

Best regards, Cindy Hoang IPotential, LLC 650-572-9501

From: Robyne Orlando [mailto:ROrlando@pattersonsheridan.com]

Sent: Wednesday, June 20, 2007 12:21 PM

To: ngamburd@gamburdlaw.com **Cc:** James Sheridan; John Carey

Subject: Quicksilver Docket Number: 021202-003810US

Quicksilver Docket Number: 021202-003810US

Our Docket Number: NVDA/P002844

Entitled: SYSTEM AND METHOD USING EMBEDDED MICROPORSSOR AS A NODE IN AN ADAPTABLE

COMPUTING MACHINE

Inventors: Rojit Jacob and Dan MingLun Chuang

Dear Nancy,

On the subject case we have an urgent need to contact one of the inventors, Mr. Dan MingLum Chuang, to get his signature on an affidavit antedating a reference. We have tried to reach Mr. Chuang at his previous address in San Diego (13113 Sierra Mesa Court) he does not seem to be there or have a listed telephone number.

Can you contact someone from Quicksilver who might have his address. I noticed from the file that he has updated his contact information at least once since leaving the company. This is a matter of considerable urgency as the response is fully reliant on this affidavit to antedate a published document.

Thank you for your time. Please call me if you have any questions.

Kind Regards,

James A. Sheridan PATTERSON & SHERIDAN, L.L.P. 250 Cambridge Ave, Suite 300 Palo Alto, CA 94306-1556 Main: 650-330-2310 x3120

Direct: 650-384-4401

FXHIBITA

Fax: 650-330-2314

E-mail: jsheridan@pattersonsheridan.com

http://www.pattersonsheridan.com CONFIDENTIAL INFORMATION

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James Sheridan

From: Robyne Orlando

Sent: Wednesday, June 27, 2007 6:12 PM

To: Kaufman, Marc

Cc: James Sheridan; John Carey

Subject: Quicksilver Docket Number: 021202-003810US

Quicksilver Docket Number: 021202-003810US

Our Docket Number: NVDA/P002844

Entitled: SYSTEM AND METHOD USING EMBEDDED MICROPORSSOR AS A NODE IN AN ADAPTABLE

COMPUTING MACHINE

Inventors: Rojit Jacob and Dan MingLun Chuang

Dear Mr. Kaufman,

On the subject case we have an urgent need to contact the inventors. We are in contact with Dan M. Chuang, however we have not heard form Rojit Jacob. We have tried to reach Mr. Jacob using the following addresses:

Mr. Rojit Jacob (UNDELIVERABLE ADDRESS) 1220 Fairoaks Avenue Sunnyvale, CA 94089

Mr. Rojit Jacob 4501 Snell Avenue, #3208 San Jose, CA 95136

Can you contact someone from Quicksilver who might have Mr. Jacob's current address. This is a matter of considerable urgency, as our response is fully reliant on an affidavit to antedate a published document.

Thank you for your time. Please call me if you have any guestions.

Kind Regards,

James A. Sheridan

PATTERSON & SHERIDAN, L.L.P.

250 Cambridge Ave, Suite 300 Palo Alto, CA 94306-1556 Main: 650-330-2310 x3120 Direct: 650-384-4401

Fax: 650-330-2314

E-mail: jsheridan@pattersonsheridan.com

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James Sheridan

From: Cindy Hoang [cindy@ipotential.com]

Sent: Thursday, June 28, 2007 10:55 AM

To: Robyne Orlando

Cc: Steve Knauer; Kaufman, Marc; James Sheridan; John Carey

Subject: RE: Quicksilver Docket Number: 021202-003810US

Hi Robyn,

We do not have any information on Rojit Jacob. Sorry about that.

Cindy Hoang IPotential

----Original Message----

From: "Robyne Orlando" < ROrlando@pattersonsheridan.com > To: "Kaufman, Marc" < MKaufman@nixonpeabody.com >

Cc: "James Sheridan" < JSheridan@pattersonsheridan.com>; "John Carey" <

Sent: 6/27/07 9:12 PM

Subject: Quicksilver Docket Number: 021202-003810US

Quicksilver Docket Number: 021202-003810US

Our Docket Number: NVDA/P002844

Entitled: SYSTEM AND METHOD USING EMBEDDED MICROPORSSOR AS A NODE IN AN ADAPTABLE

COMPUTING MACHINE

Inventors: Rojit Jacob and Dan MingLun Chuang

Dear Mr. Kaufman,

On the subject case we have an urgent need to contact the inventors. We are in contact with Dan M. Chuang, however we have not heard form Rojit Jacob. We have tried to reach Mr. Jacob using the following addresses:

Mr. Rojit Jacob (UNDELIVERABLE ADDRESS)

1220 Fairoaks Avenue

Sunnyvale, CA 94089

Mr. Rojit Jacob

4501 Snell Avenue, #3208

San Jose, CA 95136

Can you contact someone from Quicksilver who might have Mr. Jacob's current address. This is a matter of considerable urgency, as our response is fully reliant on an affidavit to antedate a published document.

Thank you for your time. Please call me if you have any questions.

EXHIBITC

Kind Regards,

James A. Sheridan

PATTERSON & SHERIDAN, L.L.P.

250 Cambridge Ave, Suite 300

Palo Alto, CA 94306-1556

Main: 650-330-2310 x3120

Direct: 650-384-4401

Fax: 650-330-2314

E-mail: jsheridan@pattersonsheridan.com <mailto:jsheridan@pattersonsheridan.com>

http://www.pattersonsheridan.com/>

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this transmission in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you. Alternatively, notify the sender by replying to this transmission and delete the message without disclosing it. Thank you.

EXHIBITC



June 20, 2007

Mr. Rojit Jacob 1220 Fairoaks Avenue Sunnyvale, CA 94089

Re:

Quicksilver Number: 021202-003810US

Our Number: NVDA/P002844

Entitled: SYSTEM AND METHOD USING EMBEDDED MICROPROCESSOR

AS A NODE IN AN ADAPTABLE COMPUTING MACHINE

Inventors: Rojit Jacob and Dan MingLun Chuang

Dear Mr. Rojit:

I am currently working on patent application titled, "System and Method Using Embedded Microprocessor as a Node in an Adaptable Computing Machine," a copy of which is enclosed. This application is based on a disclosure document titled "PSN Node Programmable Scalar Node," a copy of which is also enclosed.

All that I need from you is a signed statement that the disclosure document was prepared before September 24, 2004. We know this is true because a copy of the "PSN Node Programmable Scalar Node" article was delivered to your previous patent attorney on September 23, 2002 and filed in the USPTO on September 30, 2002.

Please call me ASAP at (650) 384-4401 so we can discuss the proper form of the affidavit. I also can answer any other questions that you may have.

Very truly yours,

PATTERSON & SHERIDAN, L.L.P.

James A Sheridar

582840 1

3040 Post Oak Blvd, Suite 1500 Houston, TX 77055-6582 TEL 713.623.4844

FAX 713.523.4644

250 Cambridge Ave, Suite 300 Palo Alto, CA 94306-1549 TEL 650.330.2310 FAX 650.330.2314 7103 Lentz Court Summerfield, NC 72358-9127 TEL 336.643.3065 FAX 336.643.8994 595 Shrewsbury Ave., Suite 100 Shrewsbury, NJ 07702-4185 TEL 732,530,9404 FAX, 732,530,9808

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FedEx Express Customer Support Trace 3875 Airways Boulevard Module H, 4th Floor Memphis, TN 38116 U.S. Mail: PO Box 727 Memphis, TN 38194-4643

Telephone: 901-369-3600

July 20,2007

Dear Customer:

The following is the proof of delivery you requested with the tracking number 860502665924.

Delivery Information:

Status:

Delivered

Delivery date:

Jun 25, 2007 13:10

Signed for by:

Signature release on file

Service type:

Standard Pak

NO SIGNATURE IS AVAILABLE

FedEx Express Proof of delivery details appear below, however no signature is currently available for this FedEx Express shipment. Availability of signature images may take up to 5 days after delivery date.

Shipping Information:

Tracking number:

860502665924

Ship date:

Jun 23, 2007

Weight:

1.0 lbs.

Recipient:

CA US

Thank you for choosing FedEx Express.

FedEx Worldwide Customer Service 1.800.GoFedEx 1.800.463.3339





June 29, 2007

Mr. Rojit Jacob 4501 Snell Avenue, #3208 San Jose, CA 95136

Re: Quicksilver Number: 021202-003810US

Our Number: NVDA/P002844

Entitled: SYSTEM AND METHOD USING EMBEDDED MICROPROCESSOR

AS A NODE IN AN ADAPTABLE COMPUTING MACHINE

Inventors: Rojit Jacob and Dan MingLun Chuang

Dear Mr. Rojit:

This is our second attempt to contact you. Our office is currently working on the patent application titled, "System and Method Using Embedded Microprocessor as a Node in an Adaptable Computing Machine," a copy of which is enclosed. This application is based on a disclosure document titled "PSN Node Programmable Scalar Node," a copy of which is also enclosed.

All that I need from you is a signed statement that the disclosure document was prepared before September 24, 2004. We know this is true because a copy of the "PSN Node Programmable Scalar Node" article was delivered to your previous patent attorney on September 23, 2002 and filed in the USPTO on September 30, 2002.

Please call me ASAP at (650) 384-4401 so we can discuss the proper form of the affidavit. I also can answer any other questions that you may have.

Very truly yours.

PATTERSON & SHERIDAN, L.L.P.

John C. Carey

585966_1

3040 Post Oak Blvd, Seite 1500 Houston, TX 77056-5582

> TEL 713.623.4844 FAX 713.623.4846

250 Cambridge Ave, Suite 300 Palo Alto, CA 94306-1549 TEL 650.330.2310 FAX 650.330.2314

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place label on package.

DT1013 6744 8367

Door Tag Number

☐ Final Attempt

EXHIBIT E



Tracking num Ship date		860502666092 Jun 29, 2007	Reference Service typ	NIDA/POD 2844 Standard Envelope
Status	1	Delivery exception		
Date/Time		Activity	Location	Details
Jul 13, 2007	3:28 PM	Package returned	SANTA	Return tracking number:
	8:31 AM	to shipper At local FedEx	CLARA, CA SANTA	<u>717118489851</u>
11 40, 0007		facility	CLARA, CA	
Jul 12, 2007	8:31 AM	facility	SANTA CLARA, CA	
Jul 11, 2007	8:14 AM	At local FedEx facility	SANTA CLARA, CA	
Jul 10, 2007	8:25 AM	At local FedEx	SANTA	
Jul 9, 2007	8:45 AM	facility At local FedEx	CLARA, CA SANTA	
Jul 6, 2007	11:00 AM	facility At local FedEx	CLARA, CA SANTA	
Jul 5, 2007	6:21 PM	facility At local FedEx	CLARA, CA SANTA	
Jul 3, 2007		facility	CLARA, CA	
	11:19 AM	Delivery exception	SANTA CLARA, CA	Incorrect address - Recipient moved
	7:52 AM	On FedEx vehicle for delivery	SANTA CLARA, CA	
Jul 3, 2007	6:53 PM	At local FedEx	SANTA	
	11:28 AM	facility Delivery exception	CLARA, CA SANTA	Customer not available or business
	8:19 AM	On FedEx vehicle	CLARA, CA SANTA	closed - Signature required
		for delivery	CLARA, CA	
Jul 2, 2007	6:21 PM	At local FedEx facility	SANTA CLARA, CA	
	12:30 PM	Delivery exception	SANTA CLARA, CA	Customer not available or business closed - Signature required
	7:49 AM		SANTA	Signature required
Jun 30, 2007	7:54 AM	for delivery At local FedEx	CLARA, CA SANTA	Package not due for delivery
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l 00 0007		location	·	
Jun 29, 2007	6:17 PM	· ·	MENLO PARK, CA	
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July 5, 2007

Mr. Rojit Jacob 4501 Snell Avenue, #3208 San Jose, CA 95136

Re:

Quicksilver Number: 021202-003810US

Our Number: NVDA/P002844

Entitled: SYSTEM AND METHOD USING EMBEDDED MICROPROCESSOR

AS A NODE IN AN ADAPTABLE COMPUTING MACHINE

Inventors: Rojit Jacob and Dan MingLun Chuang

Dear Mr. Rojit:

This is our third attempt to contact you. Our office is currently working on the patent application titled, "System and Method Using Embedded Microprocessor as a Node in an Adaptable Computing Machine," a copy of which is enclosed. This application is based on a disclosure document titled "PSN Node Programmable Scalar Node," a copy of which is also enclosed.

All that I need from you is a signed statement that the disclosure document was prepared before September 24, 2004. We know this is true because a copy of the "PSN Node Programmable Scalar Node" article was delivered to your previous patent attorney on September 23, 2002 and filed in the USPTO on September 30, 2002.

Please call me ASAP at (650) 384-4401 or (650) 269-6204 (cell) or email me at the <u>jsheridan@pattersonsheridan.com</u> so we can discuss the proper form of the affidavit. I also can answer any other questions that you may have.

Very truly yours,

PATTERSON & SHERIDAN, L.L.P.

James A. Sheridan

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